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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,388	12/10/2003	C. Glen Berry		4650

7590 09/29/2005
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332 Academy Street
Carnegie, PA 15106

EXAMINER

ENGLE, PATRICIA LYNN

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,388

Applicant(s)

BERRY, C. GLEN

Examiner

Patricia L. Engle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eberspacher (US 5,775,758) in view of Kamiya et al. (US Patent 5,775,478) and Star (US 4,570,733).

Eberspacher discloses a mobile sleeping unit for firefighters, disaster relief crews and military personnel, comprising: a tractor trailer (Fig. 1) having a coupling means (34) at one end for removable connection to a towing vehicle, the tractor trailer including: an attachment end (24), an opposite rear end (26), a ceiling (Fig. 1), a floor (Fig. 1), and a pair of opposed sidewalls (28,30) defining a self-contained living and sleeping chamber; a door (74) located on one sidewall (28) adjacent the attachment end (24); the attachment end, the rear end, and the opposed sidewalls defining an enclosed living and sleeping chamber; a generator (126) for supplying power to the mobile sleeping unit; an air conditioner (column 4, line 12) powered by the generator (126) for providing cooling air to the enclosed living and sleeping chamber; a refrigerator (inherent to a medical care facility) contained within the living and sleeping chamber; a plurality of storage drawers (106,108,110) mounted to one sidewall; a countertop (96) located adjacent the attachment end (24); and a plurality of sleeping bunks (54).

Eberspacher do not disclose that the tractor trailer is 28 feet long, a table mounted to the floor and adjacent the attachment end, and that the bunks are pivotally mounted to at least one

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sidewall with each bunk supported by a pair of cables so that the bunks can be individually lowered to a horizontal position for sleeping thereon and pivotally raised for placement contiguous to the sidewall when not being used.

Regarding the limitation that the trailer is 28 feet long, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the trailer any length. The motivation would have been to provide accommodations for a variety of number of people.

Star discloses a mobile center with a table mounted on the floor and adjacent the attachment end. Regarding claim 13, Star does not specifically disclose that the table is collapsible. However, there are foot levers which would indicate that the table is collapsible. Regarding claim 14, Star discloses that a rear door in addition to a side door.

Eberspacer and Star are analogous art because they are from the same field of endeavor, i.e., mobile medical centers.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a collapsible table located adjacent to the attachment end and to include an end door.

The motivation would have been to allow the medics to work on the patients before allowing them to recover. The motivation for including a rear door would have been to include a ramp for loading invalid patients.

Kamiya discloses a mobile center with bunks located on the sidewalls with each bunk supported by a pair of cables (220). Regarding claim 12, the amount of bunks would have been obvious to one of ordinary skill in the art at the time of the invention.

Eberspacer and Kamiya et al. are analogous art because they are from the same field of endeavor, i.e., mobile medical centers.

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At the time of the invention, it would have been obvious to one of ordinary skill in the art to mount the bunks on the sidewalls of the trailer with cables.

The motivation would have been to provide housing for as many people as possible.

Therefore, it would have been obvious to combine Star and Kamiya et al. with Eberspacer to obtain the invention as specified in claims 11-14 .

Response to Arguments

3. Applicant's arguments with respect to claims 6-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

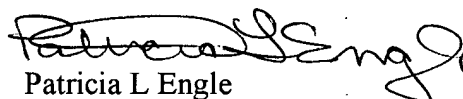
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Engle whose telephone number is (571) 272-6660.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle
Primary Examiner
Art Unit 3612

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September 22, 2005